

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE BILL 1170

Short Title: Study Land Application of Septage and Sludge. (Public)

Sponsors: Representatives Blackwood; and Harrison.

Referred to: Agriculture, if favorable, Rules, Calendar, and Operations of the House.

April 8, 2009

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES TO STUDY WHETHER THE CURRENT REGULATION OF THE LAND APPLICATION OF SEPTAGE AND SLUDGE ADEQUATELY PROTECTS HUMAN HEALTH AND THE ENVIRONMENT.

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Agriculture and Consumer Services shall study the extent to which septage and sewage sludge is being spread or applied to land in North Carolina; whether changes in the permitting process are needed to protect rural communities from toxic waste; whether current regulation of septage or sludge spreading is adequate; and whether changes are needed so that the combined effects of the land application of animal wastes and municipal wastes are not detrimental to the people, domestic animals, or wildlife of North Carolina or to the land and waters of the State. While conducting this study, the Department of Agriculture and Consumer Services shall also:

- (1) Work with the local Soil and Water Conservation Districts to determine the total volume of septage and sewage sludge being spread or land applied by county and post maps on NC OneMap as soon as possible showing all of the following:
 - a. Where septage and sludge are being spread or land applied;
 - b. Where septage and sludge are being spread or land applied;
 - c. The quantities of septage and the quantities of sludge being spread or land applied; and
 - d. The source of the septage and the source of the sludge being spread or land applied.
- (2) Share the information gathered under subdivision (1) of this section with the county commissioners of each county.
- (3) Consider whether the pesticide program administered by the Department of Agriculture and Consumer Services should be expanded to regulate transportation and application of all wastes that may, under United States Environmental Protection Agency guidelines, include waste that would be considered hazardous if it were not commingled with domestic sewage.
- (4) Determine what fees would be necessary to establish a regulatory program that would include sufficient testing to be assured that any septage or sludge that is spread or land applied is free of pathogens and free of heavy metals so that neither the material spread nor any runoff or airborne residue of that material are capable of having a cumulative negative impact on human health, the land, or the flora and fauna in the area of the land application.



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1 (5) Work with The University of North Carolina to identify cost-effective
2 alternatives to land application as a method of disposing of septage and
3 sludge that protect public health and protect farmland from the cumulative
4 effects of using farmland as a waste disposal facility.

5 **SECTION 2.** The Department of Agriculture and Consumer Services shall report
6 its findings, including any recommendations and any legislative proposals or administrative
7 actions, to the General Assembly no later than May 1, 2010.

8 **SECTION 3.** This act becomes effective July 1, 2009.